

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

LIONRA TECHNOLOGIES LIMITED,

Plaintiff,

v.

APPLE INC.

Defendant.

Case No. 6:22-cv-00351-ADA

**JURY TRIAL DEMANDED**

**SCHEDULING ORDER**

Pursuant to Rule 16, Federal Rules of Civil Procedure, the Court ORDERS that the following schedule will govern deadlines up to and including the trial of this matter:

<b>Deadline</b>	<b>Item</b>
August 25, 2022	Case Readiness Status Report Filed
September 7, 2022	Case Management Conference
September 7, 2022	Plaintiff serves preliminary <sup>1</sup> infringement contentions in the form of a chart setting forth where in the accused product(s) each element of the asserted claim(s) are found. Plaintiff shall also identify the earliest priority date (i.e. the earliest date of invention) for each asserted claim and produce: (1) all documents evidencing conception and reduction to practice for each claimed invention, and (2) a copy of the file history for each patent in suit.

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<sup>1</sup> The parties may amend preliminary infringement contentions and preliminary invalidity contentions without leave of court so long as counsel certifies that it undertook reasonable efforts to prepare its preliminary contentions and the amendment is based on material identified after those preliminary contentions were served, and should do so seasonably upon identifying any such material. Any amendment to add patent claims requires leave of court so that the Court can address any scheduling issues.

September 21, 2022	The Parties shall <b>file a motion</b> to enter an agreed Scheduling Order. If the parties cannot agree, the parties shall submit a separate Joint Motion for entry of each Order briefly setting forth their respective positions on items where they cannot agree. Absent agreement of the parties, the Plaintiff shall be responsible for the timely submission of this and other Joint filings.
September 28, 2022	Deadline to file a motion for transfer. After this deadline, movants must seek leave of Court and show good cause for the delay.
November 2, 2022	Defendant serves preliminary invalidity contentions in the form of (1) a chart setting forth where in the prior art references each element of the asserted claim(s) are found, (2) an identification of any limitations the Defendant contends are indefinite or lack written description under section 112, and (3) an identification of any claims the Defendant contends are directed to ineligible subject matter under section 101. Defendant shall also produce (1) all prior art referenced in the invalidity contentions, and (2) technical documents, including software where applicable, sufficient to show the operation of the accused product(s).
November 16, 2022	Parties exchange claim terms for construction.
November 30, 2022	Parties exchange proposed claim constructions.
December 7, 2022	Parties disclose extrinsic evidence. The parties shall disclose any extrinsic evidence, including the identity of any expert witness they may rely upon with respect to claim construction or indefiniteness. With respect to any expert identified, the parties shall identify the scope of the topics for the witness's expected testimony. <sup>2</sup> With respect to items of extrinsic evidence, the parties shall identify each such item by production number or produce a copy of any such item if not previously produced.
December 14, 2022	Deadline to meet and confer to narrow terms in dispute and exchange revised list of terms/constructions.
December 21, 2022	Defendant files Opening claim construction brief, including any arguments that any claim terms are indefinite.
January 11, 2023	Plaintiff files Responsive claim construction brief.

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<sup>2</sup> Any party may utilize a rebuttal expert in response to a brief where expert testimony is relied upon by the other party.

January 18, 2023	For pending inter-district venue transfer motions, the moving party to provide the Court with a status report with respect to whether the motion(s) has been fully briefed and ready for resolution no later than four weeks prior to the date of the Markman hearing that is scheduled in that case
January 25, 2023	Defendant files Reply claim construction brief.  Parties to jointly email the law clerks to confirm their <i>Markman</i> date.  Parties to jointly email the Court's law clerk (see OGP at 1) if any venue or jurisdictional motions remain unripe for resolution.
February 8, 2023	Plaintiff files Sur-Reply claim construction brief.
February 14, 2023	Parties submit Joint Claim Construction Statement.  <i>See</i> General Issues Note #9 regarding providing copies of the briefing to the Court and the technical adviser (if appointed).
February 15, 2023	Parties submit optional technical tutorials to the Court and technical adviser (if appointed). <sup>3</sup>
February 22, 2023	<i>Markman</i> Hearing at 9:00 a.m. This date is a placeholder and the Court may adjust this date as the Markman hearing approaches.
February 23, 2023	Fact Discovery opens; deadline to serve Initial Disclosures per Rule 26(a).
April 5, 2023	Deadline to add parties.
April 19, 2023	Deadline to serve Final Infringement and Invalidity Contentions. After this date, leave of Court is required for any amendment to Infringement or Invalidity contentions. This deadline does not relieve the Parties of their obligation to seasonably amend if new information is identified after initial contentions.
June 14, 2023	Deadline to amend pleadings. A motion is not required unless the amendment adds patents or patent claims. (Note: This includes amendments in response to a 12(c) motion.)

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<sup>3</sup> The parties should contact the law clerk to request a Box link so that the party can directly upload the file to the Court's Box account.

August 23, 2023	Deadline for the first of two meet and confers to discuss significantly narrowing the number of claims asserted and prior art references at issue. Unless the parties agree to the narrowing, they are ordered to contact the Court's Law Clerk to arrange a teleconference with the Court to resolve the disputed issues.
September 20, 2023	Close of Fact Discovery
September 27, 2023	Opening Expert Reports
October 25, 2023	Rebuttal Expert Reports
November 15, 2023	Close of Expert Discovery
November 22, 2023	Deadline for the second of two meet and confer to discuss narrowing the number of claims asserted and prior art references at issue to triable limits. To the extent it helps the parties determine these limits, the parties are encouraged to contact the Court's Law Clerk for an estimate of the amount of trial time anticipated per side. The parties shall <b>file a Joint Report within 5 business days</b> regarding the results of the meet and confer.
December 6, 2023	Dispositive motion deadline and <i>Daubert</i> motion deadline. See General Issues Note #9 regarding providing copies of the briefing to the Court and the technical adviser (if appointed).
December 20, 2023	Serve Pretrial Disclosures (jury instructions, exhibits lists, witness lists, discovery and deposition designations).
January 10, 2024	Serve objections to pretrial disclosures/rebuttal disclosures. Parties to jointly email the Court's law clerk to confirm their pretrial conference and trial dates.
January 17, 2024	Serve objections to rebuttal disclosures and <b>File</b> Motions <i>in limine</i> .
January 24, 2024	File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibits lists, witness lists, discovery and deposition designations); file oppositions to motions <i>in limine</i> .
January 31, 2024	File Notice of Request for Daily Transcript or Real Time Reporting. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and e-mail the Court Reporter, Kristie Davis at <a href="mailto:kmdaviscsr@yahoo.com">kmdaviscsr@yahoo.com</a> .  Deadline to meet and confer regarding remaining objections and disputes on motions <i>in limine</i> .

February 13, 2024	File joint notice identifying remaining objections to pretrial disclosures and disputes on motions <i>in limine</i> .
February 16, 2024	<b>Final Pretrial Conference.</b> The Court expects to set this date at the conclusion of the <i>Markman</i> Hearing.
March 4, 2024	<b>Jury Selection/Trial.</b> The Court expects to set this date at the conclusion of the <i>Markman</i> Hearing.

SIGNED this 21st day of September, 2022.

  
 ALAN D ALBRIGHT  
 UNITED STATES DISTRICT JUDGE